

**ORDER 2023-81
IN RE SETTLEMENT AGREEMENT**

**CENTAUR ACQUISITION, LLC
d/b/a HORSESHOE INDIANAPOLIS
23-HI-02**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 15th DAY OF JUNE, 2023.

THE INDIANA GAMING COMMISSION:



Milton O. Thompson, Chair

ATTEST:



Charles Cohen, Commissioner

STATE OF INDIANA
INDIANA GAMING COMMISSION

IN RE THE MATTER OF:)	
)	SETTLEMENT
CENTAUR ACQUISITION, LLC)	23-HI-02
d/b/a HORSESHOE INDIANAPOLIS)	
)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and Centaur Acquisition, LLC d/b/a Horseshoe Indianapolis, (collectively, the “Parties”) desire to enter into this settlement agreement (“Agreement”) prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

COUNT I

1. 68 IAC 2-6-12(a) provides the safety requirements for electronic gaming devices (“EGD”) and specifies that electrical and mechanical parts and design principles must not subject a player to physical hazards. (b) Spilling a conductive liquid on the electronic gaming device must not create a safety hazard or alter the integrity of the electronic gaming device's performance. (c) The power supply used in an electronic gaming device must be designed to make minimum leakage of current in the event of an intentional or inadvertent disconnection of the alternate current power ground.
2. 68 IAC 2-6-23 provides the following must not subject the player to physical hazards: (1) Electrical parts. (2) Mechanical parts. (3) Design principles of the electronic gaming device and its component parts.
3. 68 IAC 11-1-2 provides the procedures of the internal control system are designed to ensure the following: (1) Assets of the casino licensee are safeguarded.
4. 68 IAC 12-1-5(a) provides that surveillance employees shall: (1) monitor regularly; and (2) visually record, either by: (A) continuous recording; or (B) motion activation; whichever is appropriate; the surveillance system coverage of the areas described in this section.
5. 68 IAC 12-1-5(b)(5) provides the surveillance system shall provide coverage of ticket redemption kiosks, automated teller machines, and bill breakers with dedicated coverage sufficient to identify the following: (A) Individuals using or servicing the machine. (B) Whether or not cash was received by the individual as a result of the transaction.

6. 68 IAC 12-1-5(c) provides the surveillance system must provide an overall view of pit areas and gaming tables capable of clearly identifying the following: (1) Dealers. (2) Patrons. (3) Hands of the participants. (4) Facial views of the participants. (5) Pit personnel. (6) Activities of the pit personnel. (7) The amount and incrementation of a progressive jackpot contained on a progressive jackpot display of a live gaming device. (d) The playing surface of the live gaming devices must be viewed by the surveillance system with sufficient clarity to do the following: (1) Determine the following: (A) Wagers. (B) Card values. (C) Game results. (2) Clearly observe, in detail, the following: (A) Chip trays. (B) Cash receptacles. (C) Tip boxes. (D) Dice. (E) Shuffle machines. (F) Card shoes. (e) Roulette tables must be viewed by the surveillance system with color cameras. (f) Electronic gaming device surveillance must be capable of providing the following: (1) A view of all patrons. (2) A facial view of the patrons with sufficient clarity to allow identification of a patron. (3) A view of the electronic gaming device with sufficient clarity to observe the result of the game. (4) An overall view of the areas around the electronic gaming device. (5) A view of bill validators with sufficient clarity to determine bill value and the amount of credit obtained. (6) Progressive games, including dedicated coverage of the following: (A) An electronic gaming device or group of electronic gaming devices with a possible jackpot payout in excess of fifty thousand dollars (\$50,000). (B) The progressive display showing the incrementation of the progressive jackpot for an electronic gaming device or a bank of electronic gaming devices.
7. 68 IAC 12-1-5(g)(2) provides that the surveillance system must include cameras dedicated to monitoring the entrances and exits of the casino.
8. 68 IAC 13-1-1(b)(2) and (3) provides the Commission may initiate an investigation or a disciplinary action, or both, against a licensee if the Commission has reason to believe the licensee is not complying with licensure conditions or is not complying with this Act or this title.
9. Horseshoe Indianapolis's approved internal control procedures, I-4, describe Emergency Procedures and specifically state the procedures for a fire.
10. In January 2022, Horseshoe Indianapolis submitted a revised Emergency Response Plan to the Commission.
11. On December 24, 2022, Horseshoe Indianapolis experienced a water leak near the main entrance to the casino, causing a large amount of water to flow onto the casino floor. Water flowed onto several banks of electronic gaming devices ("EGD") and approached two (2) table game pits. Staff attempted to cut power to table games in the affected pit areas and in the affected EGD areas. This incident presented a particular electrical safety hazard, as casino games are powered by electrical components contained under the floor.
12. Horseshoe Indianapolis also experienced several power issues which impacted key card access to restricted areas and HVAC system failure. Entrance to Surveillance was disabled, requiring the attention of Surveillance staff to be diverted from asset

protection in order to manage ingress and egress from the room. Key card access to enter the cage/bank hallway was also disabled, preventing critical information regarding ingress and egress from that area to be documented. Additionally, the diversion of electrical power to operate equipment being used to clean up the water caused a breaker to trip, further adversely impacting the operation of the casino.

13. In addition to the power outages, a fire alarm was activated in the casino. Power was lost to varying degrees in different areas of the property, affecting lighting. It is known that one hundred twenty-four (124) surveillance cameras went down during this event on the casino floor.
14. A Slot Tech Supervisor requested and was granted approval to open a number of EGD cabinet bases in order to allow fans to dry out the electronic components contained therein. This was approved with the understanding the area would be closed to patron traffic, as casino staff had not limited patron access to these potentially hazardous areas. While the casino had cordoned off affected areas of the casino, several patrons still wandered into the potentially hazardous areas. No signage was placed indicating the areas were closed to the public.
15. Among the multiple staff members assisting with clean-up of the water were several Casino Managers, who were diverted from their operational responsibilities to do so. As a result, the required oversight of gaming operations did not occur.
16. On December 25, 2022, there was another fire alarm activated, and lights were impacted. At this time, an additional leak causing the flow of water onto the casino floor was reported. Surveillance again lost several cameras. It is unknown how many cameras were lost. An evacuation announcement was made for this event.
17. Horseshoe Indianapolis staff failed to order an evacuation or properly secure the area when this event began on December 24, 2022, and no facilities or maintenance staff with the capability of addressing the situation were on property at the time of the failure. The Casino Risk Manager was also not onsite and was not contacted during this event. There was no known call to Shelbyville Fire Department or any local public safety or inspection organization beyond the Commission Agents. The Commission Agents repeatedly cautioned staff about the potential dangers of water and electricity and encouraged them to call the Shelbyville Fire Department. Staff also reported that reaching on-call staff members was a slow and difficult process. Staff on duty worked to mitigate the damage to the best of their abilities. Senior staff and management were reluctant to close the facility and unsure if they had the authority to do so without the approval of their supervisors.
18. On January 31, 2023, Commission staff conducted a review of Horseshoe Indianapolis's emergency response plan, which specified that the critical incident response team would prepare a comprehensive written report following the stabilization of an emergency. When this document was requested, the Caesars Regional Director of Compliance responded that no such report existed.

19. Horseshoe Indianapolis failed to properly secure assets and security requirements were circumvented as a result of the malfunctioning doors. Gaming operations continued being conducted in a potentially hazardous area and despite the loss of required Surveillance coverage. Horseshoe Indianapolis failed to adhere to their Commission approved internal control procedures, their Emergency Response Plan on file with the Commission and failed to provide proper oversight of gaming activities.

COUNT II

20. 68 IAC 14-5.5-5 provides approved TITOs shall be: (1) capable of insertion into an electronic gaming device in the casino to activate play; (2) available as a payout from an electronic gaming device; (3) redeemable by the patron in accordance with IC 4-33, IC 4-35, and this rule; and (4) capable of being used as tips and gratuities for gaming and nongaming employees.
21. Horseshoe Indianapolis's approved internal control procedures, Section E-13, describe the procedures for Ticket In Ticket Out ("TITO").
22. On January 7, 2023, a Count Room Supervisor notified Gaming Agents that three (3) TITOs were found in a Blackjack table drop box during the count process on January 7, 2023. The TITOs totaled: 1) \$70, 2) \$50 and 3) \$80.40. A review of surveillance coverage discovered that two (2) male patrons were allowed to exchange TITO vouchers for chips as a buy-in. The TITOs were dropped in the cash box. A third patron was later allowed to use a TITO to exchange for chips and buy-in to the table game.
23. On January 29, 2023, Surveillance notified Gaming Agents that a \$2.00 TITO was found in a table game drop box during the count process. A review of surveillance coverage showed a patron hand a Dealer the TITO. The patron, Dealer and Dual Rate Supervisor/Dealer have a discussion and the Dealer placed the TITO in the drop box. The patron was not given chips in return.
24. On February 11, 2023, a Count Room Supervisor notified Gaming Agents that a \$0.90 TITO was found in a table game drop box during the count process. A review of surveillance coverage showed a patron leave a TITO in the drink cup holder. Another patron picked up the TITO and place it on the edge of the table near the progressive screen. The TITO remained in this location for approximately an hour and a half until another patron picked up the TITO and handed it to the Dealer. The Dealer placed the TITO back at the edge of the table. A Dual Rate Table Games Manager/Floor Supervisor picked up the TITO and placed it on the right side of the Dealer near the drop box. The Dealer picked up the TITO and placed it in the drop box while being observed by the Dual Rate Table Games Manager/Floor Supervisor.
25. On March 26, 2023, a Lead Count Room Attendant notified Gaming Agents that a \$22 TITO ticket was found in a table game drop box during the count process. A review of

surveillance coverage showed that a patron was allowed to exchange the TITO for chips and buy-in at the table game. The Dealer placed the TITO in the drop box.

26. On April 4, 2023, a Count Room Manager notified Gaming Agents that a \$0.33 TITO ticket was found in a table game drop box during the count process. A review of surveillance coverage discovered that a patron at the table dropped the TITO on the ground. Another patron picked it up and placed it on the table. Later, a player at the table handed the TITO to the Floor Supervisor who placed the TITO next to the token box at the table. The Dealer ultimately dropped the TITO in the drop box.

COUNT III

27. 68 IAC 15-13-2(a) provides in accordance with 68 IAC 15-1-3, the casino licensee shall submit policies and procedures covering manually paid jackpots.
28. 68 IAC 15-13-2(d)(7) provides manually paid jackpots shall proceed in the following manner: After arriving at the appropriate electronic gaming device, the security officer or slot department employee shall do the following: (A) Verify the jackpot. (B) Witness the jackpot payout to the patron. (C) Complete the appropriate sections of the manually paid jackpot slip.
29. Horseshoe Indianapolis's approved internal control procedures, E-9, describes electronic gaming device ("EGD") jackpots.
30. On March 28, 2023, a Gaming Agent investigated ten (10) violations of the manually paid jackpot procedures.
31. On January 9, 2023, a Slot Attendant failed to sign as verifier on a \$1,574 jackpot.
32. On January 9, 2023, a Slot Attendant failed to sign as verifier on a \$1,200 jackpot.
33. On March 7, 2023, a Slot Attendant failed to sign as verifier on a \$1,500 jackpot.
34. On March 14, 2023, a Security Officer failed to sign as verifier on a \$1,417.85 jackpot.
35. On March 14, 2023, a Slot Attendant failed to sign as verifier on a \$1987.08 jackpot.
36. On March 14, 2023, a Security Supervisor failed to sign as verifier on a \$1,635 jackpot.
37. On March 27, 2023, a Slot Attendant failed to sign as verifier on a \$1,250 jackpot.
38. On March 27, 2023, a Slot Attendant failed to sign as verifier on a \$1,560 jackpot.
39. On March 27, 2023, a Slot Attendant failed to sign as verifier on a \$1,679.19 jackpot.
40. On March 27, 2023, a Security Officer failed to sign as verifier on a \$1,425 jackpot.

COUNT IV

41. 68 IAC 15-1-2 provides the purpose of the accounting records and procedures is to ensure the following: (1) The assets of the casino licensee or casino license applicant are safeguarded. (2) The financial records of the casino licensee or casino license applicant are accurate and reliable. (3) The transactions of the casino licensee or casino license applicant are performed only in accordance with the specific or general authorization of IC 4-33, IC 4-35, and this title. (4) The transactions are recorded adequately to permit the proper recording of the adjusted gross receipts, admission fees, and applicable taxes. (5) That accountability for assets is maintained in accordance with generally accepted accounting principles. (6) That only authorized personnel have access to assets. (7) That recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to discrepancies. (8) That: (A) the functions, duties, and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel; and (B) no employee of the casino licensee is in a position to perpetuate and conceal errors or irregularities in the normal course of the employee's duties. (9) That gaming is conducted with integrity and in accordance with IC 4-33, IC 4-35, and this title.
42. 68 IAC 11-7-2(a) provides the casino licensee shall submit a list of authorized occupational licensees who have access to the sensitive keys box. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees with authorized access must be submitted to the enforcement agent as the amendments occur.
43. 68 IAC 11-7-2(e)(2) provides unless otherwise provided, whenever two (2) sensitive keys are required to access a controlled area, each key shall be signed out independently.
44. Horseshoe Indianapolis's approved internal control procedures, Y-6, describe the Poker Bank Procedures.
45. Horseshoe Indianapolis's approved internal control procedures, C-10, describe the Cage Accountability procedures.
46. Horseshoe Indianapolis's approved internal control procedures, C-12, describe the Cashier Variance procedures.
47. Horseshoe Indianapolis's approved internal control procedures, C-2, describe the Access to Restricted Cage Areas.
48. Horseshoe Indianapolis's approved internal control procedures, C-2, describe the Cage Locations and Functions.

49. On February 11, 2023, Surveillance notified Gaming Agents that a variance occurred in the Poker Cage. The variance was reported to be \$300 and below the notification threshold for the Commission, however, Surveillance expressed concerns because of multiple issues noted during their review. The issues noted by Surveillance during their review were multiple employees working from the same bank drawer and an employee leaving the Poker Cage without securing the bank drawer containing cash and chips. Surveillance was unable to determine the cause of the variance because the staff in the Poker Cage was not utilizing the proper protocols for counting currency. The Gaming Agent began an investigation into the Poker Cage violations that included key control, multiple employees working out of same drawer, cash handling procedures, access to sensitive areas and unsecured funds.
50. The Poker Shift Manager failed to fan out the currency and properly count the currency on one (1) occasion and the Chip Runner/Brush Person failed to fan out the currency and properly count the currency on two (2) occasions.
51. There were three (3) occasions where Surveillance was unable to verify the amount of currency due to the Poker Shift Manager and Chip Runner/Brush Person not following proper cash handling procedures.
52. There were two (2) occasions where the Chip Runner/Brush Person did not secure his bank drawer and one (1) occasion where the Poker Shift Manager did not secure his bank drawer.
53. The Poker Shift Manager was observed working out of multiple bank drawers while the Chip Runner/Brush Person was on break.
54. The Chip Runner/Brush Person failed to verify his bank drawer after returning from break.
55. Both employees had improper possession of keys and were working out of bank drawers that they did not have the sensitive key for.
56. On February 21, 2023, a Gaming Agent reviewed the activity in the Poker Cage due to recent issues and identified that the same issues that occurred on February 11, 2023, had occurred again with bank drawers being left unsecured and multiple employees working out of the same drawer.
57. There were five (5) instances where the bank drawers were left unsecured, three (3) by the Poker Shift Manager, once by the Chip Runner/Brush Person and once by a Floor Supervisor.
58. There were eight (8) instances where the Chip Runner/Brush Person was working out of the bank drawer not assigned to him and the drawer in which they did not have the sensitive key for.

59. There was one (1) instance where the Chip Runner/Brush Person was exchanging chips between drawers.
60. At one point, the Dual Rate Floor Supervisor/Dealer (“D/R FS/D”) was allowed entry into the Poker Cage. The D/R FS/D was observed wearing a Dealer uniform with a small apron which indicated that he was functioning in the capacity of a Dealer and not as a Floor Supervisor. Dealers are not permitted to be in the secure Poker Cage. There was no notice that the D/R FS/D was switching from Dealer to Floor Supervisor. While in the Cage, the D/R FS/D performed transactions in the Poker Cage and worked out of the drawer that was in the possession of the Poker Shift Manager. Both the Poker Shift Manager and D/R FS/D have their hands in the bank drawer at the same time. The D/R FS/D was later observed assisting the Chip Runner/Brush Person refill his bank drawer and also assisted him in counting his drawer. The Chip Runner/Brush Person exited the Poker Cage and the D/R FS/D continued performing transactions in drawers that do not belong to him.
61. On February 24, 2023, a Gaming Agent reviewed the activity in the Poker Cage due to recent issues and identified that the same issues that occurred on February 11, 2023, and February 21, 2023, had occurred again with bank drawers being left unsecured and the Poker Cage being left unattended.
62. There were four (4) instances where the bank drawers were left unsecured, three (3) by the Chip Runner/Brush Person and once by a Floor Supervisor.
63. There were three (3) instances where the Poker Cage was left unattended and had unsecured bank drawers.
64. On February 26, 2023, a Gaming Agent reviewed the activity in the Poker Cage due to recent issues and identified that the same issues that occurred on February 11, 2023, February 21, 2023, and February 24, 2023, had occurred again with bank drawers being left unsecured.
65. There were four (4) instances where the bank drawers were left unsecured, three (3) by the Chip Runner/Brush Person and once by a Floor Supervisor.
66. There were one (1) instance where the Floor Supervisor left his sensitive key behind, unsecured and out of his possession in the Poker Cage.
67. 68 IAC 15-2-3(a) provides the casino licensee shall be required to maintain a log for the purpose of recording aggregated cash transactions in excess of three thousand dollars (\$3,000). The casino licensee shall require coordination between the pits, slots, cashiers, cages, redemption centers, and other appropriate areas to ensure all transactions in excess of three thousand dollars (\$3,000) are recorded.
68. 68 IAC 15-2-3(c)(8) provides the log shall include, a photograph of the patron to be taken during the first transaction of the day involving that patron.

69. On March 26, 2023, a Floor Supervisor notified Gaming Agents that a Floor Supervisor did not have access to Title 31 during her shift in the Poker Cage. Therefore, the Floor Supervisor completed a manual multiple transaction log ("MTL"). While completing the MTL, the Floor Supervisor failed to document the times the transactions occurred.
70. The Gaming Agent met with Revenue Audit and obtained the MTL in question. The Floor Supervisor failed to document the time for two (2) transactions: one in the amount of \$3,069 and \$4,071. The Gaming Agent noted that the Floor Supervisor also failed to note the type of transaction.
71. The Gaming Agent then inquired with Surveillance to determine if the Floor Supervisor requested an MTL photo from Surveillance during these two (2) transactions. According to the Surveillance log, no photos were requested.
72. On April 4, 2023, the Gaming Agent Supervisor checked the electronic MTL for the Poker Cage on March 25, 2023, and it was determined that none of the entries on the manual MTL were entered on the electronic MTL.

COUNT V

73. 68 IAC 15-1-2 provides the purpose of the accounting records and procedures is to ensure the following: (1) The assets of the casino licensee or casino license applicant are safeguarded. (2) The financial records of the casino licensee or casino license applicant are accurate and reliable. (3) The transactions of the casino licensee or casino license applicant are performed only in accordance with the specific or general authorization of IC 4-33, IC 4-35, and this title. (4) The transactions are recorded adequately to permit the proper recording of the adjusted gross receipts, admission fees, and applicable taxes. (5) That accountability for assets is maintained in accordance with generally accepted accounting principles. (6) That only authorized personnel have access to assets. (7) That recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to discrepancies. (8) That: (A) the functions, duties, and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel; and (B) no employee of the casino licensee is in a position to perpetuate and conceal errors or irregularities in the normal course of the employee's duties. (9) That gaming is conducted with integrity and in accordance with IC 4-33, IC 4-35, and this title.
74. 68 IAC 27-8-3 provides the sports wagering operator's accounting department shall reconcile the sports wagering kiosks on a daily basis pursuant to internal controls. Any variance of five hundred dollars (\$500) or more shall be documented by the accounting department and reported in writing to the commission's audit department within seventy-two (72) hours of the end of the gaming day during which the variance was discovered. The report shall indicate the cause of the variance and shall contain any documentation required to support the stated explanation.

75. 68 IAC 11-7-1(b) provides for the purposes of this rule, "sensitive keys" means keys that either management or the commission considers sensitive to the casino licensee's operation and therefore require strict control over custody and issuance.
76. 68 IAC 11-7-3(b) provides that sensitive keys shall be returned to custody and signed in by the same occupational licensee they were issued to unless there is a documented change of shift.
77. On January 10, 2023, Surveillance notified Gaming Agents that a Race Sportsbook Ticket Writer ("RSPBK TW") counted out \$840 short at the end of her shift. Surveillance conducted a review of the RSPBK TW shift and did not identify any observations of overpayment or shorting any patrons. The variance was later discovered by Revenue Audit as a paperwork variance where the RSPBK TW failed to list her ten (10) dollar bills on her count sheet.
78. During the surveillance review, multiple violations were identified. The RSPBK TW appeared to pull out her personal cell phone while interacting with an unknown patron and added their contact information to her phone. The RSPBK TW was observed redeeming thirteen (13) tickets from an unknown patron in the amount of \$978. The RSPBK TW was observed counting the funds, running them through the currency counter and then giving the funds to the patron without doing a second count once they were removed from the counter.
79. The Race Sportsbook Dual Rate Supervisor/Ticket Writer ("RSPBK D/R S/TW") was observed using the RSPBK TW's drawer to redeem a ticket in the amount of \$51.90. The RSPBK D/R S/TW removed funds from the drawer and paid the patron. The RSPBK D/R S/TW redeemed another ticket utilizing the RSPBK TW's drawer totaling \$120.85. The RSPBK D/R S/TW removed funds from the drawer and paid the patron. The RSBK TW was observed eating on the backline during these transactions.
80. Approximately twenty (20) minutes later, the RSBK TW left the retail sportsbook area and left her bank drawer unsecured and did not appear to have her sensitive keys for her drawer with her. While the RSBK TW was away from the sportsbook, the RSBK D/R S/TW was observed utilizing the RSBK TW's drawer to redeem a \$440 ticket and then subsequently accepted six (6) wagers from the patron, totaling \$2,716. The RSBK D/R S/TW also processed an account deposit in the amount of \$12,000 and then a \$20 withdrawal. The RSBK D/R S/TW ran the funds through the currency counter but did not count the funds down while the patron was at the window. The RSBK D/R S/TW subsequently counted the funds down and appeared to count \$11,980.00 and the funds remained on the counter unsecured for approximately twenty-three (23) minutes until the RSBK TW returned to the sportsbook, moved them to the back counter and re-verified them. The RSBK D/R S/TW performed another transaction from the RSBK TW's drawer.

81. The RSBK TW was observed leaving the sportsbook on three (3) more occasions. On each occasion, her drawer was left unsecured. The RSBK TW's sensitive keys were left unsecured on two (2) occasions.
82. 68 IAC 27-10-3(d) provides if the system generated sports wagering window net receipts for the shift do not agree with the sports wagering count sheet total plus the sports wagering inventory, the shift supervisor shall record any overage or shortage. If the count does not agree, the cashier and the shift supervisor shall attempt to determine the cause of the discrepancy in the count. Any discrepancy that cannot be resolved by the cashier and the shift supervisor shall be reported in writing to the department supervisor in charge at such time. Any discrepancy in excess of five hundred dollars (\$500) shall be reported to the commission. The report shall include the: (1) date on which the discrepancy occurred; (2) shift during which the discrepancy occurred; (3) name of the cashier; (4) name of the supervisor; (5) window number; and (6) amount of the discrepancy.
83. On April 1, 2023, the Sportsbook Manager notified Gaming Agents that a variance occurred in the Sportsbook. The Revenue Audit Clerk provided a report on the variance for gaming day March 31, 2023. The report showed a shortage of \$1,000 by a Ticket Writer. Surveillance reviewed the incident and determined that a patron redeemed a ticket in the amount of \$1,445.45. The Ticket Writer took an undetermined amount of \$20 bills from his drawer and ran them through the currency counter. The Ticket Writer then placed the uncounted portion of bills back into his drawer and then, took the counted bills, estimated to be one hundred (100) \$20 bills, totaling \$2,000 in a stack on top of the counter. The Ticket Writer then counted out \$445 in cash and an undetermined amount of coins, creating a \$1,000 variance. The Ticket Writer was never observed counting the currency. This Ticket Writer was observed violating several rules during his shift. The Ticket Writer failed to count out currency on the counter for Surveillance to verify, he left his bank drawer unsecured when he left for break and the Sportsbook Manager used the Ticket Writer's drawer to conduct transactions during the Ticket Writer's break as well.

COUNT VI

84. 68 IAC 11-7-1(b) provides for the purposes of this rule, "sensitive keys" means keys that either management or the commission considers sensitive to the casino licensee's operation and therefore require strict control over custody and issuance.
85. 68 IAC 11-7-3(b) provides that sensitive keys shall be returned to custody and signed in by the same occupational licensee they were issued to unless there is a documented change of shift.
86. On February 2, 2023, Security notified Gaming Agents that the Director of Cage and Count Operations failed to return a sensitive key and had left property, however, the key remained in possession of another Cage employee. A review of surveillance

coverage determined that the sensitive key in question had been handed off to multiple employees.

87. On February 1, 2023, at 5:09 p.m., the Director of Cage and Count Operations removed the keys from the key box and handed them to a Cage Cashier. The Cage Cashier was in possession of the keys for approximately twelve (12) minutes. The Cage Cashier used the keys multiple times and placed them down on the counter in the Employee Service Window area of the Cage.
88. At approximately 5:21 p.m., a Cage Supervisor picked up the keys and began using them. The Cage Supervisor remained in possession of the keys for approximately thirty (30) minutes. The Cage Cashier then picked up the keys again and began using them for approximately eleven (11) minutes. At approximately 6:02 p.m., the Cage Cashier handed the keys off to another Cage Cashier. This Cage Cashier kept the keys in his possession for approximately three (3) hours. The Cage Cashier placed the keys next to the Cage Supervisor who was working at the Supervisor Computer in the Cashier room. The Cage Supervisor remained in possession of the keys for approximately forty (40) minutes. She was observed utilizing the keys multiple times and setting the keys down on the counter. At approximately 9:35 p.m., the Cage Supervisor returned the keys to the second Cage Cashier who had possession of them. This Cage Cashier maintained possession of the keys until midnight when he returned the keys to the Cage Supervisor. The Cage Supervisor maintained possession for approximately thirty-four (34) minutes before returning them to the second Cage Cashier. The Cage Cashier maintained possession of the keys until 1:12 a.m. when he handed off the keys to a second Cage Supervisor.
89. The second Cage Supervisor maintained possession of the keys until 2:49 a.m. At this time, she handed off the keys to a third Cage Supervisor who maintained possession of the keys until 3:19 a.m. The third Cage Supervisor returned possession of the keys to the second Cage Supervisor at this time. The keys remained in the possession of the second Cage Supervisor until the keys were identified to be late and missing.

COUNT VII

90. 68 IAC 15-12-3(a) provides the requirements for live gaming device fills.
91. 68 IAC 15-12-3(c) provides if a live gaming device fill slip was erroneous, it shall be voided and a new live gaming device fill slip generated. The person voiding the fill slip shall indicate the reason the slip was voided and sign the slip. A voided live gaming device fill shall be retained and deposited into a locked accounting box.
92. On February 4, 2023, an Assistant Table Game Shift manager notified Gaming Agents that an incorrect fill was accepted at a table game. The table fill requested \$20 in quarters, but the Cage provided \$20 in white \$1 chips. The fill was verified by a Dealer and Floor Supervisor and accepted at the table.

93. On February 14, 2023, Surveillance notified Gaming Agents that an incorrect fill was accepted at a table game. A pink non-value Roulette chip was accepted as a part of a table fill.
94. On February 14, 2023, a Dealer and Assistant Table Games Shift Manager were observed crediting the chips off the table for a scheduled maintenance. The Cage accepted the credit from the table game. The Cage Cashier accepted a rack of green \$25 chips which contained a pink non-value chip. Approximately three (3) hours later, this rack of chips was used for a table fill. The table fill was delivered to the table with the pink non-value Roulette chip included. The fill was verified by a Dealer and Floor Supervisor and accepted at the table. A Dealer discovered the pink non-value Roulette chip approximately 2.5 hours later.

COUNT VIII

95. 68 IAC 15-10-4.1(a) states cage inventories must be accurately reported at the conclusion of a shift on the inventory form used by the casino licensee. Overages and shortages must be recorded at the conclusion of the shift during which the variance was discovered.
- (b) Cage variances of five hundred dollars (\$500) or two percent (2%), whichever is less, must be reported on a form approved by the commission to the following within one (1) business day after the discovery of the variance:
- (1) The security department.
 - (2) The surveillance department.
 - (3) An enforcement agent.
- (c) Variances of five thousand dollars (\$5,000) or more, or a variance that is of a nature that indicates criminal activity must be reported on a form approved by the commission to the following immediately:
- (1) The security department.
 - (2) The surveillance department.
 - (3) An enforcement agent.
- These variances must be reported to the commission audit staff at the beginning of the next business day.
- (d) Variances of five hundred dollars (\$500) or two percent (2%), whichever is less, or a variance that is of a nature that indicates criminal activity must be investigated by the casino licensee. The variance and the results of the investigation must be reported to the head of the accounting department or the equivalent. Unresolved variances must be investigated by the accounting director or designee. The results of the investigation shall be reported on the document provided to him or her by the cage department. Surveillance tapes or records relating to the variance must be preserved and retained by the casino licensee until the commission audit director advises that the tapes or records, or both, may be recycled. The results of an investigation into these variances must be reported to an enforcement agent. If the variance that was investigated exceeded five thousand dollars (\$5,000), the results of the investigation must also be reported to the commission audit staff.

(e) The casino licensee's internal auditor must review, on a quarterly basis, cage variances to ensure that the variances are appropriately and thoroughly investigated and reported. The results of the internal auditor's review must be reflected on the quarterly internal audit report filed in accordance with 68 IAC 15-8.

96. On January 15, 2023, a Cage Shift Manager notified Gaming Agents that a Cage Supervisor had a variance of \$981 from her shift on January 15, 2023. Surveillance conducted a review and was unable to determine the cause of the variance. Gaming Agents also spoke with the Lead Revenue Auditor who provided that they were unable to determine a reason for the variance. The variance remains unresolved.
97. On February 26, 2023, a Cage Shift Manager notified Gaming Agents that a Cage Supervisor had counted out \$600 short at the end of her shift. Approximately three (3) hours later, the money was found inside the currency counter at a Cage window. Surveillance confirmed that the funds were found jammed inside the counter.

COUNT XI

98. 68 IAC 15-6-4(b) provides vendors and visitors must report to security to complete the vendor and visitor log and to obtain a badge. When the vendor or visitor leaves the casino, the vendor or visitor must complete the appropriate portion of the log.
99. 68 IAC 15-6-4(e) provides the vendor and visitor log shall contain the following information:
 - (1) The name of the vendor or visitor.
 - (2) The company or organization the vendor or visitor represents.
 - (3) The date and time the vendor or visitor entered the casino.
 - (4) The purpose that necessitates the vendor or visitor entering the casino.
 - (5) The date and time that the vendor or visitor exits the casino. The casino licensee is responsible for instituting a policy that ensures that vendor and visitor badges are returned to the security department and accounted for when the vendor or visitor exits the casino.
 - (6) If the person is a visitor, the individual who authorized the visitor's presence in the casino.
 - (7) Any other information deemed necessary by the executive director or the commission to ensure compliance with IC 4-33, IC 4-35, and this title.
100. On January 24, 2019, the Commission issued a memorandum to all casino licensees on occupational licenses and the usage of the vendor log which states vendor and visitor badges are not to be utilized by those who hold or should hold an individual license. If individuals referenced above attempt to access the gaming floor using a vendor or visitor badge, casino staff should assist in the matter by refusing entry and directing the individuals to local Gaming Agents for assistance.
101. On January 13, 2023, Security notified Gaming Agents that the Events and Promotions Coordinator escorted a Disc Jockey through the north back of house doors near Human

Resources and the Employee Dining Room. The Events and Promotions Coordinator ultimately brought the Disc Jockey to Security Dispatch to get a badge, but the Disc Jockey should have entered the building at Security Dispatch.

102. On February 24, 2023, Security notified the Gaming Agents that a vendor was allowed into the back of the house area without a badge or signing with Security Dispatch. The vendor was allowed entry into the back of the house area by a Facilities employee. The vendor was from RSQ Fire Protection.
103. On March 9, 2023, Security notified Gaming Agents that an unbadged Poker Room trainee was allowed to enter the back of the house area through the north back of the house entrance on the casino floor by a Lead Food and Beverage Supervisor. A review of surveillance coverage confirmed this information and showed that the Poker Room trainee was escorted to Human Resources. The Poker Room trainee never checked in a Security Dispatch or received a badge.
104. On April 3, 2023, Surveillance notified Gaming Agents that an unbadged job candidate was in the back of the house area with a Sportsbook employee. Surveillance advised that they were able to exit and enter through the employee door where a Security Officer was stationed, and the Security Officer did not question the fact that the job candidate was not wearing a badge.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Horseshoe Indianapolis by and through its agents as described herein constitute a breach of IC 4-35, IC 4-38, 68 IAC and/or Horseshoe Indianapolis's approved internal control procedures. The Commission and Indiana Grand hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Horseshoe Indianapolis.

Horseshoe Indianapolis shall pay to the Commission a total of \$73,500 (\$40,000 for Count I, \$2,500 for Count II, \$2,500 for Count III, \$10,500 for Count IV, \$4,000 for Count V, \$5,000 for Count VI, \$3,000 for Count VII, \$2,000 for Count VIII and \$4,000 for Count IX) and submit a corrective action plan for Count I and Count VI detailing the steps that Horseshoe Indianapolis has taken to prevent a similar emergency response in the future and how Horseshoe Indianapolis is going to address the chain of custody protocol with sensitive keys in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each Count of this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in each Count above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by

the Commission, Horseshoe Indianapolis agrees to: 1) promptly remit payment in the amount of \$73,500, 2) submit a corrective action plan for Count I detailing the steps that Horseshoe Indianapolis has taken to prevent a similar emergency response in the future 3) submit a corrective action plan for Count VI on how Horseshoe Indianapolis is going to address the chain of custody protocol with sensitive keys, and 4) waive all rights to further administrative or judicial review.

This Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically as if the original had been received.

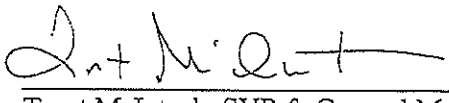
This Agreement shall be binding upon the Commission and Horseshoe Indianapolis.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.



Greg Small, Executive Director
Indiana Gaming Commission

6/15/2023
Date



Trent McIntosh, SVP & General Manager
Centaur Acquisition, LLC

6/16/23
Date